

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

February 11, 2010

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: that the Minutes of the regular meeting of the Common Council held on February 4, 2010 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Valentine

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending February 10, 2010 in the amount of \$ 485,274.80 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Carpenter; Seconded by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of February 4 – February 10, 2010
- Report from the Building Inspector's Office from February 2 – February 8, 2010
- Report from the Parking Violations Bureau for January 2010
- Statement from the City Clerk's Office of all monies received during the month of January 2010 in the total amount of \$10,319.91

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Valentine

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills approved by the Auditing Committee of the Common Council in the amount of \$ 528,849.08 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL: None

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor be authorized to sign a contract with JCEO to provide Home Energy Audits on properties assisted with HOME housing rehabilitation grant funds, the cost to be paid from the JCEO Weatherization Assistance Program, or if not eligible, from the HOME grant to the homeowner.

By Councilor Carpenter; Second by Councilor Rabideau
Discussion: None
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor be authorized to sign a contract with KAS Inc. for lead based paint inspections on homes assisted under the HOME housing rehabilitation grant program, the cost to be paid from the HOME grant to the homeowner.

By Councilor Carpenter; Second by Councilor Kelly
Discussion: None
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves Bill Treacy, Manager MLD to award Transformer Service, Inc (TSI) contract for Bid No. 2009-12-3 "Evaluation of Transformer Oil Liquid Screen and Gas Analysis Testing" in the amounts of \$3,919.00 for 2010; \$3,919.00 for 2011; and \$3,919.00 for 2012 based on them being able to meet PMLD specifications.

By Councilor Kelly; Second by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves a change order for Akey Landfill "Tire Relocation and Relocated Waste Compaction" in the amount of \$45,000.

By Councilor Jackson; Second by Councilor Calnon

Discussion:

Councilor Jackson he spoke with **Jon Ruff, Environmental Manager** the original value of the contract plus the two change orders that have occurred were still underneath the four million dollar price tag they put on this and also they are almost out of the ground which is a nice thing because the "unknowns" are under ground and we are getting to a point now where the should be less "unknowns." He just wanted to let every one know we are still underneath the four million dollars that we budgeted for this project and we are getting the two million dollar grant from the state so we haven't exceeded the two million dollar we expected to bond and pay for.

Jon Ruff, Environmental Manager stated that it is disappointing to have this many change orders this early in the project – that is the bad news, the good news is - since we are getting above grade the change orders should tail off and things should be better from hear on out.

Councilor Valentine asked how close are they to the four million.

Councilor Jackson stated that we have about \$100,000 left but there is room we are ok.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. ORDINANCES:

At a Regular Meeting of the Common Council of the City of Plattsburgh held February 11, 2010 the following Ordinance was:

Introduced by Councilor Rabideau

Seconded by Councilor Calnon

BE IT ORDAINED by the Common Council of the City of Plattsburgh, as follows:

1. Section 257-11 of the City Code regarding Water and Sewer permits; fees.

The Water and Sewer tapping permits shall be as follows:

Type of Tap

Fee

¾ inch	\$ 400
1 inch	\$ 600
Larger than 1 inch	Actual Estimate
Sanitary Tap	\$ 100
Storm Tap	\$ 100

2. Section 257-12B of the City Code is amended to adopt the following fee schedule for water meters:

Water meter size	Fee to furnish, install & maintain*			
5/8"	1 st	\$275	2 nd	\$325
¾"	1 st	\$300	2 nd	\$350
1"	1 st	\$400	2 nd	\$450
1 ½"	1 st	\$640	2 nd	\$690
2"	1 st	\$815	2 nd	\$865

*The cost of furnishing an Encoded Receiver Transmitter (ERT) or other remote reading device for each meter is included in the fee, but not the cost of installation which is at the owner's expense.

RESOLVED: That this ordinance shall take effect immediately upon approval by the Mayor and publication in the official newspaper of the City of Plattsburgh.

By Councilor Jackson; Second by Councilor Rabideau

Discussion:

Councilor Rabideau stated the increases are for cost of materials and electric increasing. This is for new hook-up. **Mike Brodi, Superintendant of Public Works** indicated the second is for people who want to add another meter.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves one police

officer to attend the “SNYJOA Quarterly Board Meeting” in Syracuse, NY from March 4 – 5, 2010 at an estimated cost not to exceed \$80.00 and will be paid out of the Asset Forfeiture Fund.

By Councilor Calnon; Second by Councilor Carpenter

Discussion:

Councilor Jackson said **Councilor Valentine** asked him if he had received the breakdown of Asset Forfeiture Fund. He had spoken to **City Chamberlain Richard Marks** and he is working on it with **Police Chief’s Assistant Heather** and he asked that they get it completed by the end of February.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves three police officers to attend the “National Tactical Officers Association Advanced Crisis Negotiations Training” in Poughkeepsie, NY from June 2 – 4, 2010 at an estimated cost not to exceed \$2,506.00 and will be paid out of the Asset Forfeiture Fund.

By Councilor Calnon; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves three police officers to attend the “DCJS Robbery/Accomplice Identification Course” in Albany, NY from February 24 – 25, 2010 at an estimated cost not to exceed \$586.00 and will be paid out of the Asset Forfeiture Fund.

By Councilor Calnon; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

10. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from Bill Treacy, Manager MLD to write-off unpaid final bills from February 1, 2009 to February 28, 2009 in the total amount of \$3,197.78. The percentage of write-offs for this period is .14%.

Councilor Kelly asked the write-offs are seasonal and cyclical. Would like to ask **Bill Treacy, MLD Manager** if he would be willing to provide them this year with a graph

showing how much is written off each time they do it **Bill Treacy** said he would and he would also need to show what they recover because they recover more than they write off. **Councilor Calnon** said there a couple of ways to do it he could use percentages, etc and give us history and what the trend is.

Mayor Kasprzak stated that we are very aggressive in pursuing a lot of these things especially three if someone wants to get a new apartment and put their name in there but haven't paid a bill back in February 2009 we are pretty aggressive in finding out what they owe us and go after them and that is always difficult to track but we do get the money. So yes they can graph it.

Councilor Kelly said he thinks it would be a good idea to show the recovery each period also.

Councilor Jackson asked if **Councilor Kelly** didn't mind they would save it for the MLD Board Meeting. **Councilor Kelly** said it would be fine with him.

2. Request from Police Chief Desmond Racicot for one police officer to attend the "MAGLOCLIN Business Meeting/Combating Major Crimes in Modern Times Conference in Columbus, Ohio from March 29 – April 1, 2010 at an estimated cost not to exceed \$439.00 and will be paid out of the Asset Forfeiture Fund.
3. Request from Police Chief Desmond Racicot for one police officer to attend the "DCJS Police Mental Health Instructor Training Course" in Albany, New York from March 9 – March 11, 2010 at an estimated cost not to exceed \$402.00 and will be paid out of the Asset Forfeiture Fund.

Councilor Valentine asked if the mental health course was to ward off issues in our police force or dealing with people with mental health issues. **Police Chief Racicot** said the training is for the police officers to deal with people with mental health issues.

11. NEW BUSINESS:

Councilor Calnon stated since they understand the Library Board has settled the contract with the union that there has been some questions about the details of the settlement and how they affect the City's Budget so he is suggesting they invite the Library Board to meet with them to discuss the settlement and its impact.

Councilor Jackson agreed.

Mayor Kasprzak said some of the Council may not be here in the next few weeks should they wait until they are all present.

Councilor Calnon said it is a significant budgetary impact and thinks they all should be involved in the discussion.

Councilor Valentine said she is going to be gone for two weeks and doesn't want them to wait just to accommodate her she can just get a report of what they have learned.

Councilor Calnon stated that the general path of how the union contract goes is once the "MOU" gets approved which he believes the Library Board did approve it and he believes the union approved it before the Library Board dealing with it. It is not really totally settled until the actual contract and than can be a period of several months so if they have any concerns they can share those with the Board at the time. But there is really no reason to rush at this point because the actions that were already taken have been taken. They will need to meet at some point to consider their budgetary

impact because he is sure there is not money in the budget for that at this point.

Mayor Kasprzak said do they want a Tuesday meeting since it may not be something they can get done during Thursday's meeting.

Councilor Kelly said the Library board meets the last Tuesday of the month so maybe that would be a good time. He asked if **Councilor Valentine** was going to be back until March 1st but they should go ahead and do that

Councilor Carpenter asked **Councilor Calnon** if he thought they were going to have to change their budget based upon this contract agreement

Councilor Calnon stated that anytime a contract settles they have to change the budget witness the Police budgetary adjustment they did last week. There is no line item for that in the Library Budget at this point.

Councilor Carpenter said just to be clear all they can do is make opinion they don't have the ability to change in anyway that agreement because that is beyond their power.

Councilor Calnon said right in the final analysis the only power that they have over what happens at the Library is two fold. One, the **Mayor** appoints Library Board members and they ratify them so if they wanted to make any changes to the Library management that would be the vehicle to do it. And the other is we do provide most of the money for this and what they could do is if they were of a mind they could say you approved, making a number up, a \$50,000 increase but we are only going to give you \$40,000. We have some influence but.

Mayor Kasprzak said he thinks it is more like double that but he is not sure.

Councilor Kelly said we need to know what that exact figure is.

Councilor Calnon agreed and said it is in the material they got and he asked **City Chamberlain Richard Marks** just to verify that there weren't any pieces of this that hadn't been anticipated. For example if the "MOU" contains dollar figures for salary increases that doesn't necessarily include increase FICA, increase retirement and we really need to look at those figures to be sure we know what the bottom line impact is.

Councilor Kelly said he really thinks we need to compare it to similar union contracts in the City and see it is in line or out of line. Everybody deserves a raise it is just a matter of how much and what sequence and what not.

Councilor Calnon said he knows there is going to be a substantial change in their budget this year.

Mayor Kasprzak stated he would work on a day for them to have the meeting.

Councilor Calnon said we may not be able to meet on the same day as the Board meeting since they have other business to discuss.

Councilor Kelly said they would have other business to discuss but they are usually done around 5:30 pm.

Councilor Rabideau wished **Mike Brodi, Superintendant of Public Works** a Happy Birthday!

Councilor Jackson wanted to congratulate **Fire Chief Paul Williams** for getting the \$71,000 Grant for "turn out" gear and wanted to thank him for doing that and it is greatly appreciated.

Councilor Carpenter asked how this will affect the budget.

Councilor Calnon said we will get more than we were going to be able to get plus the stuff to help us maintain it.

Councilor Jackson said we were going to get 10 "turn outs" and try and cycle it thru.

Councilor Calnon said yes it is going to be less than we budgeted in and works well.

Councilor Kelly was absent last week because he attended a "Data Center" conference in California. He felt this applied to Plattsburgh and would like Mayor's permission to pursue getting a "Data

Center” to come to Plattsburgh because “Data Center’s” use ambient cold air, low utility rates and abundant amounts of water, etc. All sound like Plattsburgh. He thinks this Council and Mayor have done a good job of controlling expenses and they should be applauded for that. But what we need to do in addition to that is raise revenue. If we can get a “Data Center” here just one we could open the flood gates to lots of opportunities. These places hire typically about 40 individuals at about \$50,000 a year so it is 2,000,000 dollars in payroll. That would be wonderful for the people and the taxpayers so he is going to pursue this and see where we can go.

Mayor Kasprzak said ok.

Councilor Valentine asked what a “Data Center” is.

Councilor Kelly further explained.

Councilor Calnon said he has some experience with “Data Centers” and he would like to help with it.

Mayor Kasprzak had the opportunity for almost 3 hours to learn about “meth” labs. He accompanied **Police Chief Racicot** to the location that was in the paper today. He said that was quite an “eye-opening” experience to say the least, the fact that our law enforcement officials in the entire region were involved in this including obviously our police force. We have 3 fire personnel that were there from our fire department which are part of the county “Hazmat” team and they were there and that is quite a process. Obviously, our District Attorney was with us as well. This is also a concerning type of experience and he is glad our local law enforcement officials work together at all levels to locate these individuals and shut down that lab. He wanted to thank everyone who was involved that is something that is really a concern of all of ours and our community and thank goodness the efforts by everybody located that area and took care of that problem. He thanked **Police Chief Racicot** and his department as well as everyone else.

12. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Calnon

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

MEETING ADJOURNED: 6:00 pm